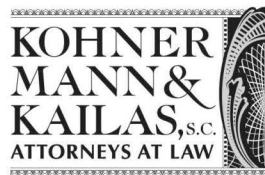


# EXHIBIT A



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September 9, 2020

**By Email Only: [mstolper@seidenlegal.com](mailto:mstolper@seidenlegal.com)**

Michael T. Stolper, Esq.  
SEIDEN LAW GROUP LLP  
469 7<sup>th</sup> Avenue, Suite 502  
New York, NY 10018  
*Attorneys for Plaintiffs*

Re: *Convergen Energy LLC, et al. v. Brooks, et al.*  
*Case No. 1:20-CV-03746-LJL*

Dear Michael:

Pursuant to Federal Rules of Civil Procedure 26(e)(1)(A) and 33, enclosed please find Specially Appearing Defendants' Objections and Amended Responses to Plaintiffs' First Set of Amended Interrogatories.

Very truly yours,

KOHNER, MANN & KAILAS, S.C.

Ryan M. Billings

RMB

Encl.

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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PLAINTIFFS ENERGY LLC, et al.,

Plaintiffs,

v.

CASE NO.: 1:20-CV-03746 (LJL)

STEVEN J. Brooks, et al.,

Defendants.

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**SPECIALLY APPEARING DEFENDANTS' OBJECTIONS  
AND AMENDED RESPONSES  
TO PLAINTIFFS' FIRST SET OF AMENDED INTERROGATORIES**

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TO: CONVERGEN ENERGY LLC, L'ANSE WARDEN ELECTRIC COMPANY, LLC,  
EUROENERGY BIOGAS LATVIA LIMITED, and LIBRA CAPITAL US, INC.  
c/o Michael T. Stolper, Esq.  
SEIDEN LAW GROUP LLP  
469 7th Avenue  
New York, NY 10018

Pursuant to Federal Rules of Civil Procedure 33 and 26(e)(1)(A), Specially Appearing Defendants Steven J. Brooks ("Brooks"), NianticVista Energy, LLC ("Niantic"), Gregory Merle ("Merle"), and Riverview Energy Corporation ("Riverview," collectively "Defendants") hereby provide their Amended Objections and Responses ("Responses") to the First Set of Interrogatories (Amended) ("Requests") of Plaintiffs Convergen Energy LLC, ("CE"), L'Anse Warden Electric Company, LLC ("L'Anse"), Euroenergy Biogas Latvia Limited ("Latvia"), and Libra Capital US, Inc. ("Libra") (collectively, "Plaintiffs") as follows:

**GENERAL OBJECTIONS**

Defendants incorporate all of the General Objections stated in their Objections and Responses to Plaintiff's First Set of Interrogatories dated June 11, 2020, and their Objections and Responses to Plaintiffs' First Set of Amended Interrogatories dated June 24, 2020, ("Prior

Responses”) into their Responses to these Requests as if fully stated herein. The Responses are also subject to the agreement of the parties at the June 15, 2020 Meet and Confer Conference concerning Plaintiffs’ First Set of Interrogatories.

**AMENDED ANSWERS TO AMENDED INTERROGATORIES**

**INTERROGATORY NO. 4:** Identify anyone with a current or past financial interest in CEW and any entities in the chain of ownership of CEW, including all current and past members and officers of CEW and any entities in the chain of ownership.

**AMENDED ANSWER TO INTERROGATORY NO. 4:** Defendants incorporate their General and Specific Objections from their Prior Responses into their Response to this Request as if fully stated herein. Subject to and without waiving these objections, Defendants respond to this Request as follows: with respect to dates on or after January 30, 2020, *see* Defendants’ June 11 Responses to Interrogatory 3, and *see also* Response to Plaintiffs’ First Set of Interrogatories to Defendants Hansen, Mikkelson and Convergen Energy WI, LLC (“CEWI Responses”), Responses to Interrogatories 3 and 4. The referenced answers have not changed since January 31, 2020. In addition to the foregoing, Steven J. Brooks is a lender to Cypress Lane, L.L.C. (“Cypress”), the indirect owner of CEWI. Further, Clark Kent, LLC, and Javier Busto Ferraz are lenders to NianticVista Energy, LLC (“Niantic”), the direct owner of CEWI. Chipper Investment SCR, S.A. (“Chipper”), provided funds to Cypress in connection with Niantic’s purchase of CEWI. Defendants do not have personal knowledge of Chipper’s ownership structure, and have learned information subsequent to their June 24 Responses revealing that their beliefs concerning Daniel Escandon Garcia’s and Ramon Uriarte Inchausti’s status, as indicated in those June 24 Responses, were incorrect.

**INTERROGATORY NO. 4A:** Describe the current and historical financial relationship of each of the defendants in this action in CEW and in any entities in the chain of ownership of CEW.

**AMENDED ANSWER TO INTERROGATORY NO. 4A:** Defendants incorporate their General and Specific Objections from their Prior Responses into their Response to this Request as if fully stated herein. Subject to and without waiving these objections, Defendants respond to this Request as follows: with respect to dates on or after January 30, 2020, *see* Original Responses to Interrogatory 3, and *see also* CEWI Responses, Responses to Interrogatories 3 and 4. The answers have not changed since January 31, 2020. In addition, Steven J. Brooks is a lender to Cypress and personal guarantor of the debts of CEWI to BMO Harris Bank N.A. Chipper provided funds to Cypress in connection with Niantic's purchase of CEWI.

Dated September 9, 2020.

As to Objections:

By:



Ryan M. Billings  
S.D.N.Y. Bar No. RB0378  
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Attorneys for Defendants Steven J. Brooks,  
Niantic Vista Energy, LLC, Gregory Merle,  
and Riverview Energy Corporation

**VERIFICATION**

STATE OF CONNECTICUT       )  
  )  
FAIRFIELD COUNTY            )       ss.

Steven J. Brooks makes the following declaration under penalty of perjury:

1. I have read the foregoing *Specially Appearing Defendants' Objections and Responses to Plaintiffs' First Set of Amended Interrogatories*, and know the contents thereof.

2. The Responses were prepared with the assistance and advice of counsel, and based in part upon information and verification obtained from others.

3. The answers set forth in the Responses, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of such answers.

4. Consequently, I reserve the right to make changes in such answers if it appears at any time that omissions or errors have been made therein or that additional or more accurate information is available.

5. Subject to the limitations set forth herein, such answers are true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 9 day of September, 2020.

  
Steven J. Brooks

**VERIFICATION**

STATE OF FLORIDA                     )  
  )       ss.  
PALM BEACH COUNTY                )

Gregory Merle makes the following declaration under penalty of perjury:

1. I am a duly-appointed representative of Defendants NianticVista Energy, LLC, and Riverview Energy Corporation. In that and in my personal capacity, I have read the foregoing *Specially Appearing Defendants' Objections and Responses to Plaintiffs' First Set of Amended Interrogatories*, and know the contents thereof.

2. The Responses were prepared with the assistance and advice of counsel, and based in part upon information and verification obtained from others.


3. The answers set forth in the Responses, subject to inadvertent or undiscovered errors, are based on and therefore necessarily limited by the records and information still in existence, presently recollected and thus far discovered in the course of the preparation of such answers.

4. Consequently, I reserve the right to make changes in such answers if it appears at any time that omissions or errors have been made therein or that additional or more accurate information is available.

5. Subject to the limitations set forth herein, such answers are true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated this 9th day of September, 2020.

  
\_\_\_\_\_  
Gregory Merle

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of September, 2020, a true and correct copy of the foregoing document, *Specially Appearing Defendants' Objections and Amended Responses to Plaintiffs' First Set of Amended Interrogatories* was served by electronic mail to the following counsel:

Michael Stolper, Esq.  
SEIDEN LAW GROUP LLP  
469 7th Avenue  
New York, NY 10018  
mstolper@seidenlegal.com

/s/ Ryan M. Billings

Ryan M. Billings